

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brus et al.

Serial No.: To be assigned

Filed: October 30, 2003

For: METHODS FOR THE
IDENTIFICATION OF ANTIVIRAL
COMPOUNDS

Group Art Unit: To be assigned

Attorney Docket No.: 2578-6158US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV5784545US

Date of Deposit with USPS: October 30, 2003

Person making Deposit: Christopher Haughton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to Pre-OG Notices <<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/idswouscopies.htm>> (visited 9/15/2003). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in

U.S. Patent Documents

| <u>U.S. Patent No.</u> | <u>Publication Date</u> | <u>Patentee</u> |
|------------------------|-------------------------|-----------------|
| US - 6,033,908 | 03-07-2000 | Bout et al. |
| US - 6,200,745 | 03-13-2001 | Kreider et al. |
| US - 6,218,105 B1 | 04-17-2001 | Hall et al. |

Foreign Patent Documents

| <u>Document No.</u> | <u>Publication Date</u> | <u>Patentee</u> |
|---------------------|-------------------------|--|
| EP 0978566 A2 | 02-09-2000 | Introgen B.V. |
| WO 91/15573 | 10-17-1991 | Southwest Foundation for Biomedical Research |
| WO 97/00326 | 01-03-1997 | Introgen B.V.; Rijksuniversiteit Leiden |
| WO 99/51776 | 10-14-1999 | Southern Research Institute |
| WO 99/64582 | 12-16-1999 | Introgen B.V. |
| WO 00/63403 | 10-26-2000 | Introgen B.V. |
| WO 01/38362 | 05-31-2001 | Crucell Holland B.V. |
| WO 02/090982 A1 | 11-14-2002 | Crucell Holland B.V. |

Other Documents

PCT International Search Report, PCT/NL02/00296, dated October 7, 2002.

PCT International Preliminary Examination Report, PCT/NL02/00296, dated March 13, 2003, 2 pages.

PCT Written Opinion, PCT/NL02/00296, December 19, 2002.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.: 2578-6158US

Attorney Docket No.: 2578-4240US
Serial No.: 09/449,854
Filing Date: 11/26/1999
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-3982.2US
Serial No.: 09/517,898
Filing Date: 3/3/2000
Title: MEANS AND METHODS FOR FIBROBLAST-LIKE OR MACROPHAGE-LIKE CELL TRANSDUCTION

Attorney Docket No.: 2578-4038.1US
Serial No.: 09/549,463
Filing Date: 4/14/2000
Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN CELL

Attorney Docket No.: 2183-4497US
Serial No.: 09/621,593
Filing Date: 7/21/2000
Title: MEANS AND METHODS FOR RAISING ANTIBODY CONCENTRATION IN COMPARTMENTS OF THE BODY OF A NON-HUMAN ANIMAL

Attorney Docket No.: 2578-4192.1US
Serial No.: 09/657,492
Filing Date: 9/8/2000
Title: MODIFIED ADENOVIRAL VECTORS FOR USE IN GENE THERAPY

Attorney Docket No.: 2578-4626US
Serial No.: 09/722,867
Filing Date: 11/27/2000
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-6158US

Attorney Docket No.: 2578-4843US
Serial No.: 09/843,894
Filing Date: 4/27/2001
Title: AAV VECTOR PRODUCTION

Attorney Docket No.: 2578-3935.1US
Serial No.: 09/912,552
Filing Date: 7/23/2001
Title: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT
ADENOVIRUS TO BE USED IN GENE THERAPY

Attorney Docket No.: 2578-4451.1US
Serial No.: 10/196,688
Filing Date: 7/15/2002
Title: ADENO-ASSOCIATED VIRUS AND ADENOVIRUS
CHIMERIC RECOMBINANT VIRUSES USEFUL FOR THE
INTEGRATION OF FOREIGN GENETIC INFORMATION
INTO CHROMOSOMAL DNA OF TARGET CELLS

Attorney Docket No.: 2578-4038.2US
Serial No.: 10/234,007
Filing Date: 9/3/2002
Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN
CELL

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-identified application, and no certification pursuant to 37 C.F.R. § 1.97(c) or a fee pursuant to 37 C.F.R. § 1.17(p) is required.

Respectfully submitted,



Allen C. Turner

Registration No. 33,041

Attorney for Applicant(s)

TRASKBRITT, P.C.

P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: October 30, 2003

ACT/bv

Enclosures: Form PTO-1449 or PTO/SB/08 and Cited Documents

Document in ProLaw

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

| <i>Complete if Known</i> | |
|--------------------------|------------------|
| Application Number | To be assigned |
| Filing Date | October 30, 2003 |
| First Named Inventor | Brus et al. |
| Group Art Unit | To be assigned |
| Examiner Name | To be assigned |
| Attorney Docket Number | 2578-6158US |

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|--------------------------------|---|---|----------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | | EP 0978566 A2 | 02-09-2000 | Introgen B.V. | | |
| | | WO 91/15573 | 10-17-1991 | Southwest Foundation for Biomedical Research | | |
| | | WO 97/00326 | 01-03-1997 | Introgen B.V.; Rijksuniversiteit Leiden | | |
| | | WO 99/51776 | 10-14-1999 | Southern Research Institute | | |
| | | WO 99/64582 | 12-16-1999 | Introgen B.V. | | |
| | | WO 00/63403 | 10-26-2000 | Introgen B.V. | | |
| | | WO 01/38362 | 05-31-2001 | Crucell Holland B.V. | | |
| | | WO 02/090982 A1 | 11-14-2002 | Crucell Holland B.V. | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

| <i>Complete if Known</i> | |
|--------------------------|------------------|
| Application Number | To be assigned |
| Filing Date | October 30, 2003 |
| First Named Inventor | Brus et al. |
| Group Art Unit | To be assigned |
| Examiner Name | To be assigned |
| Attorney Docket Number | 2578-6158JIS |

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.